

Minutes of the Land Use, Parks and Environment Committee - April 6, 2004

The meeting was called to order at 8:30 a.m. by Chair Kolb.

Present: Chair Walter Kolb, County Board Supervisors Pauline Jaske, Scott Klein (arrived at 9:05 a.m.), James Jeskewitz, William Mitchell, Daniel Pavelko (arrived at 8:40 a.m.), Vera Stroud

Staff Present: Legislative Policy Advisor Mark Mader, Legis.Associate Sandra Meisenheimer

Also Present: Parks and Land Use Planning & Zoning Manager Dick Mace, Register of Deeds Mike Hasslinger, Deputy ROD Chris Crouch, Program & Projects Analyst Rob Dunn, Senior Financial Analyst Andy Thelke, County Board Chairman Jim Dwyer

Read Correspondence

Kolb referred to information from Karen McNelly (Lake Management District member) on purple loosestrife, copper compounds, diquat, endothall, glyphosate, 2,4-D, fluridone, Wisconsin's Aquatic Plant Management Program and Biological Control of Eurasian Watermilfoil. This information will be kept in the County Board mailroom for anyone who is interested.

Approve Minutes of March 16, 2004

Motion: Jeskewitz moved, second by Mitchell, to approve the minutes of 3/16/04. **Motion carried 5 – 0.**

Pavelko arrived at the meeting.

Consider Proposed Ordinance: 158-O-154 Amend the District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance, for the Towns of Eagle and Mukwonago, by Rezoning Certain Lands Located in Sections 25, 26, 35 and 36, Town of Eagle and Sections 29, 30, 31 and 32, Town of Mukwonago, from the A-1 Agricultural, A-E Exclusive Agricultural Conservancy and C-1 Conservancy Districts to the A-1 Agricultural, C-1 Conservancy and EC Environmental Corridor Districts (SZ-1514)

Mace reviewed the ordinance with the committee. The proposed rezoning will update certain sections of the Towns of Eagle and Mukwonago Zoning District Maps under the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance in order to implement the Dam Failure Analysis for the Wambold and Kroll Dams on Eagle Spring Lake in accordance with NR-116.09 of the Wisconsin Administrative Code. As part of this proposed amendment, the county has chosen to implement the EC Upland Environmental Corridor District for these portions of the Towns of Eagle and Mukwonago. The Planning staff is recommending approval for the eight sections contained in the Towns of Eagle and Mukwonago. Since all these changes are required, it is felt these mappings will incorporate the Dam Failure Analysis Study, as required by law, and update the jurisdictional zoning maps in accordance with the most current information. It also serves to implement the goal of the Waukesha County Development Plan in preserving floodplains and environmental corridors.

Motion: Jeskewitz moved, second by Mitchell, to approve Ordinance 158-O-154. **Motion carried 6 – 0.**

Consider Proposed Ordinance: 158-O-155 Adoption of a New District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance for All of the Town of Summit and Those Shoreland Portions of the Town Annexed by the City of Oconomowoc after May 1982, Waukesha County, Wisconsin (SZ-1513)

Mace was present. This proposal by the Parks and Land Use Planning and Zoning Division is to update the jurisdictional zoning map for the Town of Summit and the Waukesha County Shoreland and Floodland Protection Ordinance for all areas within 1,000 ft. of any lake, 300 ft. of any river, stream, or the landward side of the floodplain in the Town of Summit and those areas of the City of Oconomowoc, which were annexed after May 1982. Klein arrived at the meeting.

The Planning staff is recommending approval. This updated map now has the most current information for the Town of Summit for recent wetland determinations, new navigability determinations, and the current City of Oconomowoc boundaries.

Motion: Jeskewitz moved, second by Pavelko, to approve Ordinance 158-O-155. **Motion carried 7 - 0.**

Consider Proposed Ordinance: 158-O-156 Amend the District Zoning Map of the Town of Brookfield Zoning Ordinance by Rezoning Certain Lands Located in Parts of the NW ¼, SW ¼ and SE ¼ of Section 31, T7N, R20E, Town of Brookfield, from the Rs-3 Single Family Residential District (Town) to the Rs-4 Single Family Residential District (Town) (ZT-1517)

Mace explained the rezoning. The proposed rezoning is to Rs-4 Single-Family Residential District (15,000 sq.ft. minimum lot size) with the land use for continued single-family use with the ability to have lesser offset requirements and slightly less minimum lot requirements for parcels, which may be large enough to further divide. This will allow property owners within the changed area to meet lesser offset requirements with the new zoning district, which would accommodate the construction of two-car garages and residential additions closer to the lot line than the existing ordinance provisions allow. The Planning staff is recommending approval as they feel the proposed change will accommodate better utilization of some of these lots, which presently have single-car garages, with reduced minimum offset standards and will negate the necessity of trying to see variances from the Town Board of Appeals.

Motion: Pavelko moved, second by Jeskewitz, to approve Ordinance 158-O-156. **Motion carried 7 – 0.**

Consider Proposed Ordinance: 158-O-157 Amend the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map in the Town of Oconomowoc, Now Annexed by the City of Oconomowoc by Rezoning Certain Lands Located in Part of the NE ¼ of Section 31, T8N, R17E, City of Oconomowoc, from the A-T Agricultural Land Preservation Transition District to the R-3 Residential District (SVZ-1518)

Mace reviewed the rezoning. The property is presently vacant and farmed, with wetlands along the northeastern edge of the property. The property is proposed to be subdivided in 88 residential lots, resulting in a gross density of 28,000 sq.ft. per dwelling unit. A total of seven lots currently proposed fall within the county jurisdiction and will therefore need to comply with the requirements of the Shoreland and Floodland Protection Ordinance. The Planning staff is recommending approval since the site will be served with municipal sewer and water and is in conformance with the City of Oconomowoc Land Use Plan and County Plan as revised according to statute.

Motion: Jeskewitz moved, second by Mitchell, to approve Ordinance 158-O-157. **Motion carried 7 - 0.**

Consider Proposed Ordinance: 158-O-158 Amend the Text of the Town of Mukwonago Zoning Ordinance to Create Section 2.02(72)(A) and Section 3.09(1)(J) of the Town of Mukwonago Zoning Ordinance to Define a Special Exception and to Grant Special Exceptions for Structures Adjacent to Lake Access Drives (ZT-1525)

Mace summarized the text amendment which creates two sections in the Town of Mukwonago Zoning Ordinance to define a special exception and to allow the Town Plan Commission to grant special exceptions for structures adjacent to lake access drives. The Planning staff is recommending approval since it alleviates a technical problem with public accesses where there is no intent that the right-of-way will be expanded as a road. It will allow many legal non-conforming lots reasonable additions or accessory structures on their lots where it does not impact adjacent residential properties and where no impact on public roads will result.

Motion: Mitchell moved, second by Jeskewitz, to approve Ordinance 158-O-158. **Motion carried 7 – 0.**

Consider Proposed Ordinance: 158-O-159 Amend the District Zoning Map of the Town of Mukwonago Zoning Ordinance by Conditionally Rezoning Certain Lands Located in Part of the E ½ of Section 9, T5N, R18E, Town of Mukwonago, Waukesha County, Wisconsin, from the R-1 Residential District to the R-2 Residential District (ZT-1528)

Mace explained the rezoning which will combine existing legal lots of record under the “merger of substandard lot of record provisions” of the Town of Mukwonago’s Subdivision Control Ordinance. The Planning staff is recommending approval.

Motion: Jeskewitz moved, second by Pavelko, to approve Ordinance 158-O-159. **Motion carried 7 – 0.**

Consider Proposed Ordinance: 158-O-160 Amend the Text of the Town of Eagle Zoning Code by Repealing and Recreating Various Sections (ZT-1507)

Mace reviewed the text amendment. He stated that there are two significant changes relating to signage and lighting standards and architectural review requirements as well as changes to the Planned Unit Developments (PUDs), especially with respect to providing more flexibility in design and getting rid of the rigid lot size standard, which enhances the opportunity to preserve and protect open spaces in said PUDs. The Planning staff is recommending approval as these changes are a significant improvement in the Town’s Ordinance.

Motion: Jaske moved, second by Jeskewitz, to approve Ordinance 158-O-160. **Motion carried 7 – 0.**

Consider 2003 Annual Report for the Register of Deeds Office

Hasslinger, Crouch and Dunn were present. Hasslinger introduced Rob Dunn, the new Program and Projects Analyst. Referring to the 2003 annual report, Hasslinger reviewed the following areas: revenues, expenditures, number of documents recorded in 2003, annual recorded documents from 1990 to 2003, and graphs showing benchmarks for recorded documents processing for 2001, 2002 and 2003. Also distributed was a graph showing expenses, revenues, and net returned to the county from 1993 through 2003.

Motion: Pavelko moved, second by Jeskewitz, to accept the 2003 Annual Report for the Register of Deeds office. **Motion carried 7 – 0.**

Executive Committee Report

Kolb gave a brief report on items that were discussed and/or considered at the last meeting on April 5, 2005.

Motion to Allow Secretary of Committee to Approve the Minutes of the Last Committee Meeting on Behalf of the Committee

Motion: Stroud moved, second by Mitchell, to allow Supervisor Jaske, as secretary of the committee, to approve the last meeting minutes of 4/6/04 on behalf of the committee. **Motion carried 7 – 0.**

Motion to adjourn: Jaske moved, second by Jeskewitz, to adjourn the meeting at 10:38 a.m. Motion carried 7 – 0.

Respectfully submitted,

Pauline T. Jaske
Secretary

/sm